



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,622	09/29/2000	Arvind Kumar	42390P9709	9572

7590

05/11/2004

Joseph A Twarowski
Blakely Sokoloff Taylor & Zafman LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

PRIETO, BEATRIZ

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 05/11/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

sk

Office Action Summary

Application No.

09/675,622

Applicant(s)

KUMAR, ARVIND

Examiner

B. Prieto

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to Amendment filed 03/08/04, claims 1-2, 5-7, 10-12, 15-25 have been amended. Claims 1-25 have been examined and remain pending
2. Second Notice; the specification lacks a Brief Summary of the Invention (see MPEP§ 608.01(d)). A preferred layout and content of the specification is provided by the MPEP (see MPEP§ 6.01-6.02). A brief summary of the invention should be separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The purpose of the brief summary is to apprise the public and those interested in the particular art to which the invention relates, of the nature of the invention.
3. Amendment as filed failed to comply with 37 CFR 1.530 (e) Status of claims and support for claim changes. Which states that whenever there is an amendment to the claims pursuant to paragraph (d) of this section, there MUST also be supplied, on pages separate from the pages containing the changes, the status (i.e., pending or canceled), as of the date of the amendment, of all patent claims and of all added claims, and an explanation of the support in the disclosure of the patent for the changes to the claims made by the amendment paper (see MPEP 2234).

Claim Rejection

4. Quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action may be found in previous office action.
5. Claims 1-16, 19-25 are rejected under 35 U.S.C. 102(e) as being anticipated by GAO U.S. Patent No. 6,581,094.

Regarding claim 1, Gao teaches substantial features of the invention as claimed, teaching a system/method (Fig. 1) comprising:

receiving a ("discovery information") query (col 3/lines 42-47, col 5/lines 1-13) on a network device (90) storing files containing information (col 4/lines 2-3, 10-15, 31-36, col 5/lines 8-9) about the network device (col 4/lines 45-67) sent via a search engine XML enable module (col 5/lines 1-13, browser sends query to search engine 80 of Fig. 1 see col 14/lines 1-15);

receiving the result of standard internet search including searchable UDD files matching said query (col 4/lines 45-67, col 1/lines 60-65, col 5/lines 1-13).

Regarding claim 2, searching via a search engine XML enabled (search engine which is XML enabled see col 5/lines 8-9, or XML standard search technology see col 4/lines 2-3, 45-67)

Regarding claim 3, manipulating the retrieved discovery information (Gao: update or upgrade retrieve UDD file data see col 14/lines 25-32, selected UDD file for retrieval and respective processing for rendering display, i.e. "manipulating" see col 3/lines 48-61, searchable UDD file via a web browser 50 see col 4/lines 45-64).

Regarding claim 4, displaying the manipulated discovery information (Gao: deliver for display selected UDD file "information" see col 3/lines 48-54, XML based document displayable on any device see col 4/lines 18-22, display of retrieved UDD file see col 11/lines 25-36 and Fig. 3).

Regarding claim 5; this claim is the machine-readable medium that provides instructions, which when executed by a machine, cause said machine to perform operations of the method claim discussed on claim 1, same rationale of rejection is applicable.

Regarding claim 6, this claim is the machine-readable medium that provides instructions, which when executed by a machine, cause said machine to perform operations of the method claim discussed on claim 2, same rationale of rejection is applicable.

Regarding claims 7-9, this claim is the machine-readable medium that provides executable instructions to perform the method associated with the searching functions discussed on the method claims 2-4, therefore same rationale of rejection is applicable.

Regarding claim 10, this claim is the system comprising the means associated with the method claim and the machine-readable medium discussed on claims 1 and 5, respectively, same rationale of rejection is applicable.

Regarding claim 11, means for searching (query) discovery information (browser 30/50 of Fig. 1) to be sent to the XML based search engine (Gao: col 4/lines 45-64 and col 14/lines 1-32) and as discussed on claim 2, same rationale of rejection is applicable.

Regarding claim 12, means for retrieving discovery information (browser 30/50 of Fig. 1) from a discovery document on the network device (Gao: col 4/lines 45-64 and col 14/lines 1-32, retrieve for displaying information on the network device see col 3/lines 33-54) and as discussed on claim 2, same rationale of rejection is applicable.

Regarding claim 13, means for manipulating the retrieved discovery information (Gao: col 14/lines 1-32, browsers 30/50 of Fig. 1).

Regarding claim 14, means for displaying the manipulated discovery information (Gao: display 26 means col 3/lines 48-54).

Regarding claim 15, a plurality network device (90) (col 3/lines 62-col 4/line 4) including XML based discovery information (GAO: device 90 including UDD file see col 4/lines 2-3, file in the XML form see col 4/lines 45-54) and a search engine to search discover information encoded in an XML document stored in the network device (col 4/lines 2-3, 10-15, 31-36, col 5/lines 8-9 about the network device (col 4/lines 45-67, sent via a search engine XML enable module col 5/lines 1-13, browser sends query to search engine 80 of Fig. 1 see col 14/lines 1-15).

Regarding claim 16, search engine is an XML based search engine (col 5/lines 1-13).

Regarding claims 23-25, wherein the XML based discovery information includes data describing the capabilities, location, i.e. geographic information, characteristic, features of the network device (Gao: information includes see col 4/lines 45-54, col 5/lines 39-54, device type see table I, lines 1-10).

Regarding claims 19-22, although the prior art teaches the network appliances ("devices") may be a printer or a personal digital assistant (i.e. a computer), and a copier (i.e. a printer), and the like (Gao; see col 3/lines 62-col 4/line 4, server and computers see col 7/lines 56-64).

6. Claim 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gao in view of Vaishnavi et. al. U.S. Patent No. 5,734,642 (Vaishnavi hereafter).

Regarding claims 17-18, however Gao does not explicitly teach where network devices include a router and a switches; Vaishnavi teaches a system/method related to system management and the discovery of network devices, including where a discovery process includes transmitting a query for information regarding the devices on the network (col 5/lines 24-43), wherein network device typically as known in the art, network devices include switches and routers (col 1/lines 11-19). It would have been obvious to one ordinary skilled in the art at the time the invention was made given Gao's suggestion that the networked environment illustrated includes the Internet and that therefore would include a large number of the component shown and other circuits and devices well know to this configuration and which are apparent to one skilled in the art. Routers and switches would be readily apparent and inherent in Gao's Internet based networked environment. One ordinary skilled in the art would be motivate to include other type of network devices e.g. routers/switches, those inherent in an Internet based networked system which Gao suggest can be accommodated in the definition of UDD.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Jack B. Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

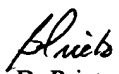
or faxed to the Central Fax Office:

(703) 872-9306, for Official communications and entry;

Or Telephone:

(703) 306-5631 for TC 2100 Customer Service Office.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Fourth Floor (Receptionist), further ensuring that a receipt is provided stamped "TC 2100".


B. Prieto
Patent Examiner